1945

File No. Prisons II 45

Legal Deptt

B **BRANCH**

Subject:— Rules and Notifications under the Prisons Act, 1894

1/1945 (E)

File No. Prisons II/45

Gen. 194 e.

503-B

Office of the R.L.A.

With the introduction of the Greater Bombay Scheme the Courts of the Resident Magistrate, First Class, Bandra, City Magistrate, First Class, Bandra, Resident Magistrate, First Class, Kurla and Resident Magistrate, First Class, Andheri-Kurla have been abolished. With the abolition of these Courts the Magistrates of the Courts who were appointed to be the Superintendents of the four sub-jails at Bandra, Andheri, Kurla and Ghatkopar have ceased to be so and the proposal now is to appoint Presidency Magistrates as Superintendents of the sub-jails. In order to regularise the appointments of the Presidency Magistrates as Superintendents of the sub-jails it is porposed by Home Department to extend clause 10 of section 59 of the Prisons Act, 1894, to the sub-jails in the Province of Bombay and to frame a rule thereunder providing for the appointments of Presidency Magistrates as Superintendents of the sub-jails.

2. It does not appear necessary to make a rule under clause (10) of section 59 of the Prisons Act, 1894, for the appointment of the Superintendents of the sub-jails. Section 6 of the Act provides that for every prison there shall be a Superintendent, a Medical Officer (who may also be the Superintendent), a Medical Subordinate, a Jailer and such other officers as the Provincial Government thinks necessary. In order to regularise the appointments of the officers in question in the case of sub-jails all that is necessary is to extend the provisions of section 6 to the sub-jails under clause (26) of section 59 of the Prisons Act. After the section is so extended Government should pass orders for the appointments of the Superintendent and other necessary officers for the sub-jails. Such order would be sufficient to regularise their appointments. The draft notiffication at page 11 ante has therefore been amended so as to include section 6 of the Act.

Sd/-
Remembrancer of Legal Affairs.

U.R. to H.D., No. 8896, dated the 29th November 1945.